

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD**  
**March 14-18, 2005**

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
3-14	OPP	91119107	Corning Inc. v. Vitrocrisa S.A. de C.V. Company	Seeherman* Quinn Walters	2(d)	Opposition Sustained	"PYREX" [glass baking ware <i>and other goods</i> ] <i>and other marks incorporating the word PYREX for the same and related goods</i>	"PYR-O-REY" [ovenware, namely, glass casseroles and bakeware]			No
3-14	OPP (SJ)	91159613	Murphy Law Firm v. Michles & Booth, P.A.	Hohein Hairston Chapman [Opinion "By the Board" (Omelko)]	2(d) [priority]; whether applicant's identification of goods was impermissibly broadened during examination; whether applicant had bona fide intent to use its mark on its recited goods as of the filing date of its application	Opposition Dismissed (applicant's motion for summary judgment granted)	"DON'T BE A VICTIM" [legal services]	"DON'T BE A VICTIM TWICE" [services of a law firm, namely, legal services]			No
3-15	EX	76409236	American Airlines, Inc.	Quinn* Bucher Holtzman	2(d)	Refusal Affirmed		"AMERICAN AIRLINES NEXOS" (and design) [in flight magazines]	"NEXOS" (in stylized form) [magazines in the field of arts, literature, science, political analysis, and cultural issues]	Wells	No

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(2) \*=Opinion Writer; (D)=Dissenting Panel Member

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3-16	EX	76460914	Reaction Design	Hohein* Walters Holtzman	2(e)(1)	Refusal Affirmed as to all classes		"REACTION DESIGN" [in Class 9: computer software, namely, programs delivered on media such as CD-ROMs via electronic communications networks for chemical reaction simulations, chemical kinetics simulations, and chemical flow simulations; and user manuals and instructions sold as a unit with the above; in Class 41: training in the use and operation of software for chemical reaction simulations, chemical kinetics simulations, and chemical flow simulations; in Class 42: consultation in the field of modeling chemical reactions, chemical kinetics, and chemical flows; consultation in the field of incorporating software for chemical reaction simulations, chemical kinetics simulations, and chemical flow simulations into other software environments]		Griffin	No

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3-16	EX (R)	76451248	Todson, Inc.	Seeherman Hanak* Bottorff	2(d)	Request for Reconsideration Denied (Refusal Affirmed)		"BRUTE" [bicycle locks]	"THE BRUTE" [locks]	Kon	No
3-17	EX	76565437	Glaze Inc.	Hairston Bucher Drost*	2(e)(3)	Refusal Reversed		"SWISSCELL" [batteries for lighting, battery chargers and surge protectors]		Lee	No
3-17	OPP (SJ)	91160218	Royal Caribbean Cruises, Ltd. v. Royal Caribbean Jamaican Bakery, Inc.	Holtzman Rogers Drost [Opinion "By the Board" (Butler)]	res judicata [on 2(d) ground for opposition]	Opposition Sustained (Opposer's motion for summary judgment granted)	"ROYAL CARIBBEAN" [arranging and conducting cruises for others] <i>and other marks incorporating the words ROYAL CARIBBEAN, for related goods and services</i>	"ROYAL CARIBBEAN BAKERY" (and design) [Jamaican style baked goods, namely, breads, cakes, rolls, muffins, puddings, tarts and buns]			No
3-17	CANC (SJ)	92043487	Brenda D. Lewis and William L. Flowers v. Microsoft Corporation	Bottorff Rogers Drost [Opinion "By the Board" (Taylor)]	res judicata [on fraud claim]	Petition to Cancel Denied (Respondent's motion for summary judgment granted)	"WINDOWPAD" [computer software]	"WINDOWS" [computer programs and manuals sold as a unit, namely, graphical operating environment programs for microcomputers]			No
3-18	EX	76431779	Dreamous Corporation USA	Quinn Hohein Holtzman*	2(d)	Refusal Reversed		"COVITAL" [cold processed cosmetics, namely, skin creams, hair shampoo and conditioner, and eye gels]	"COVITOL" [liquid and dry vitamin E concentrate for pharmaceuticals, medicines, and feeds]	Ririe	No

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3-18	CANC	92032096	Mark A. Hoffman v. Ace Antenna Co.	Seeherman Bucher Holtzman*	2(d)	Petition to Cancel Granted	"ACETEC" [manufacturer's representative services in the field of communications components]	"ACE TECHNOLOGY" [cellular antennas, cordless telephone antennas, cb transceiver antennas, hand-held radio antennas, land mobile radio antennas, PCN antennas, pager antennas, aerospace antennas, marine antennas, booster antennas, telecommunications equipment, namely, band pass filters, combiners, band reject filters, satellite-spike antennas, arrestors, automobile boosters, cellular RF band power amplifiers, power dividers, automobile cellular repeaters, wireless cellular and pager repeaters, bi-directional amplifiers, coaxial circulators, HYB couplers, broad band amplifiers, ferrite isolators, low noise amplifiers and low noise block down converters]			No

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